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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,791	02/22/2002	Patrick A. Haverkost	BSI-488US	9935

7590 07/13/2006
Christopher R. Lewis
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EXAMINER

DAWSON, GLENN K

ART UNIT PAPER NUMBER

3731

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. ^e
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EXAMINER

ART UNIT	PAPER
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20060630

DATE MAILED:

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Commissioner for Patents

Please see the attached communication.

Glenn K Dawson
Primary Examiner
Art Unit: 3731

Response to Amendment

The reply filed on 04-21-2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the examiner only indicated that the method of claim 1 with the added objected to steps was allowable. There was no indication that the apparatus claim 21 would be allowable by incorporating the anchoring means and then adding functional language as to its intended use. An apparatus might have all of the claimed structure, and be capable of performing the claimed functions or steps, but if it is not disclosed as being used in the same manner, a method claim would be allowable while the apparatus claim would not. Therefore, without a previous indication of allowable subject matter with respect to the apparatus claims, the examiner contends that the response is deficient because the claimed apparatus has not been compared to the prior art used in the last rejection, and it has not been specifically pointed out exactly what **structure** is in the claims which is not in the prior art structure. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

The examiner did not have sufficient time to hold an interview before processing this action as the examiner was going on vacation and the application required action at the time of return.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn K. Dawson whose telephone number is 571-272-4694. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anhtuan T. Nguyen can be reached on 571-272-4963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Glenn K Dawson
Primary Examiner
Art Unit 3731